

## ARGUMENTS

Receipt of the Office Action mailed February 3, 2003 is acknowledged. The present amendment clarifies the claims in formal regards. No new matter has been added. Entry of the amendment and favorable reconsideration are earnestly solicited. New claims 16 and 17 are added directed to a foaming brushes per se. Claims 1, 3 and 9 have been amended in formal regards. Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **“Version with markings to show changes made.”**

On page 2 of the Action, the Examiner has indicated that the restriction requirement is made final. However, under *In re Ochiai* methods of using and methods of making novel products are rejoinable after allowance. Since claims 10-15 are directed to methods of use that incorporate all features of claim 1, claims 10-15 must be rejoined after allowance of claim 1 under PTO guidelines.

The Examiner has requested that the term VELCRO be capitalized where used. In response to this request, the specification has been so amended.

On pages 4-6 of the Action, the Examiner has cited various references over the instant claims. It is respectfully submitted that these references do not teach or suggest the invention as instantly recited. That is, none of the references cited or those being relied upon teach or suggest a mitt that is removably associated with a vehicle washing brush. Mitts of the present invention include a material formed into the approximate shape of the washing brush including two surfaces, the surface facing away from the washing brush being woven with fibers capable of washing a surface of a vehicle, and the material is also capable of allowing the passage of water from the washing brush. Furthermore there is provided a fastener capable of securing the mitt onto the brush while water passes through the brush. There are simply no references cited that teach or suggest vehicle washing brushes with covers at all as recited in new claim 17, much less one as instantly recited.

For example, U.S. Patent No. 1,334,911 is a nozzle assembly, not a wash that fits over a foaming brush of a self serve car wash. U.S. Patent No. 2,271,606 is a wash mop that fits over a

foot or hand not a wash mitt that fits over a foaming brush at a self service car wash. U.S. Patent No. 2,709,824 is a dust mop that fits over a broom. U.S. Patent No. 3,100,905 is a polishing disk with a circular polishing mop, not a wash mitt that fits over a foaming brush at a self service car wash. U.S. Patent No. 3,761,991 is made of a tough material for scrubbing purposes. U.S. Patent No. 5,177,831 is a cloth covered sponge mop, not a wash mitt that fits over a foaming brush at a self service car wash. U.S. Patent No. 2,942,854 is a mop cover that is adjustable, removable and washable. U.S. Patent No. 2,984,854 is a liquid wax applicator, different design and function. U.S. Patent No. 481,824 is made of different material and has a different function, made of different material. U.S. Patent No. 1,252,344 is not designed to allow fluid to flow through and not secured tightly enough to wash a vehicle, both are designed and function different.

None of these references are designed to function on a foaming brush of a self serve car wash. The present invention is a wash mitt designed to function on foaming brushes.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 22153-00002-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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**Version With Markings to Show Changes Made**

1. (Amended) A mitt removably associated [for use] with a vehicle washing brush comprising:

a material formed into the approximate shape of said washing brush, wherein said material is capable of fitting around said washing brush, and said material has a first surface facing and in contact with said washing brush, and a second surface opposite said first surface facing away from said washing brush, and wherein said second surface is woven with fibers capable of washing a surface of a vehicle, and said material is capable of allowing the passage of water from said washing brush;

a fastener capable of securing said mitt onto said brush while water passes through said washing brush.

3. (Amended) The mitt of claim 1, wherein said fastener comprises at least one [velcro] VELCRO® strap.

9. (Amended) A self-service vehicle wash comprising [T] the mitt of claim 1 [, wherein said mitt is provided at a self-service vehicle wash].

Page 4, line 15

Figure 2 shows the mitt 10 covering a typical brush 11 used at a vehicle wash facility such as a self-service car wash. The mitt 10 is secured over the brush 11 by use of [velcro] VELCRO® straps 12 that are sewn into the material of the mitt 10. The mitt 10 is preferably made from a sheet-like material having two surfaces on which one surface is made up of soft fibers and the other surface is smooth. Examples of such material are sherpa or sheepskin. Sherpa is considered advantageous because it is better able to endure repeated use and exposure to an outside environment than sheepskin. Various grades of sherpa are contemplated for use in the invention, for example 60 oz. sherpa, although heavier or lighter grades of sherpa are also contemplated, such as sherpa grades between 20 to 60 ozs. Examples of such grades in this range of sherpa are well known in the art and include 20, 32, 44, 51 and 60 oz. grades. The material that the mitt 10 is made of is capable of allowing the passage of the soapy water that is being ejected from the brush and have a fiber-filled surface external to that of the brush. The fibers are preferably capable of washing the surface of a car or other vehicle without causing undue scratching. Also, an advantage of such soft fibrous material is that it is able to better [remover] remove fine dirt and dust as well as any soap scum that a brush might leave behind.

Page 6, line 4

Figure 6 is a cross-sectional view of an alternative embodiment where the [velcro] VELCRO® straps 12 are attached to the top of the mitt 10 without the use of a hem 14. On the top edge of the mitt 10, an elastic sheet 16 approximately two inches wide and long enough to cover the mitt 10, an elastic sheet 16 approximately two inches wide and long enough to cover the mitt 10 is folded in half over the top edge of the mitt 10. The edges of the [velcro]

VELCRO® straps 17 are placed under the elastic sheet and the elastic sheet and strap edges are sewn together into the mitt 10.

Page 6, line 10

While the present invention is especially suited for use in covering brushes at self-service car washes, it is not limited to such uses. For example, the mitt 10 may be used on someone's hand. The hand is inserted into the compartment where the brush is able to fit into and secured by the use of the [velcro] VELCRO® straps 12 or other such fasteners.